

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
at CHATTANOOGA

TIMOTHY L. MORTON,

*Petitioner,*

v.

VIRGINIA LEWIS, WARDEN,

*Respondent.*

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No.1:05-mc-063

*Edgar/Carter*

**MEMORANDUM**

Petitioner Timothy L. Morton (“Morton”) filed a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. On January 31, 2006, petitioner was given thirty (30) days to provide the Court with the \$5.00 filing fee or submit an *in forma pauperis* application. Petitioner was notified that failure to comply with the Court’s order would result in the case being dismissed for want of prosecution. The Court’s order was returned with “Expired” written on the envelope.

Petitioner has failed to pay the \$5.00 filing fee or submit an *in forma pauperis* application. Therefore, this action will be **DISMISSED** *sua sponte*, for failure to comply with the orders of this Court. FED. R. CIV. P. 41(b); *Jourdan v. Jabe*, 951 F.2d 108 (6th Cir. 1991).

An appropriate judgment will enter.

/s/ R. Allan Edgar

R. ALLAN EDGAR

UNITED STATES DISTRICT JUDGE